

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE CITY OF NEW YORK,

Plaintiff,

-v-

ROBERT GORDON, ET AL.,

Defendants.
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DOC #:
DATE FILED: 10/12/12

12 Civ. 4838 (JMF)

SCHEDULING ORDER

JESSE M. FURMAN, United States District Judge:

As set forth on the record at today's status conference, the September 7, 2012 Motion to Dismiss filed by Defendant Robert Gordon (d/b/a All Of Our Butts), Defendant Marcia Gordon, and John Does 1-5 (the "Gordon Defendants"), and the September 10, 2012 Motion to Dismiss filed by Defendants Regional Integrated Logistics, Inc. (d/b/a Regional Parcel Services), and John Does 6-10 (the "RIL Defendants"), are DISMISSED as moot in light of the Amended Complaint. The Clerk of Court is directed to terminate the motions. (Docket Nos. 19 & 25).

It is HEREBY ORDERED that any party wishing to do so must serve its discovery requests by **October 19, 2012**. All discovery in connection with the motion for preliminary injunction shall be completed by **November 9, 2012**.

It is FURTHER ORDERED that the Gordon Defendants and the RIL Defendants shall each file a combined Memorandum of Law in support of their anticipated motion to dismiss the Amended Complaint and in opposition to the Plaintiff's Motion for a Preliminary Injunction, not to exceed forty (40) pages, by **November 30, 2012**. Plaintiff shall file a combined Memorandum of Law in opposition to the Defendants' motions to dismiss and in reply in support of its Motion

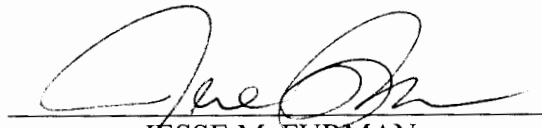
for a Preliminary Injunction, not to exceed thirty (30) pages, by **December 21, 2012**. Each set of Defendants shall have until **January 4, 2013**, to file a reply, not to exceed ten (10) pages, in support of their motion to dismiss.

It is FURTHER ORDERED that the parties shall submit a joint letter by **January 11, 2013**, indicating to the Court whether they believe it is necessary to hold a hearing in connection with Plaintiff's Motion for a Preliminary Injunction. In the letter, the parties shall also advise the Court whether they would consent to advancing the trial on the merits, pursuant to Rule 65(a)(2) of the Federal Rules of Civil Procedure, with respect the matters raised in the Plaintiff's Motion for a Preliminary Injunction.

If a hearing is required, it shall be held on **February 14, 2013**, at **2:30 p.m.**

SO ORDERED.

Dated: October 12, 2012
New York, New York



JESSE M. FURMAN
United States District Judge